

Michigan State Planning Body

Civil Legal Services for the Poor

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August 12, 2002

Randi Youells, Vice President for Programs
Legal Services Corporation
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Dear Ms. Youells:

On behalf of the State Planning Body for Legal Services in Michigan and the Leadership Group of providers in the state justice community, I am pleased to submit this self-evaluation of the current status and progress of Michigan's comprehensive, integrated, client-centered delivery system.

The self-evaluation was prepared under the supervision of a Leadership Group subcommittee composed of Deierdre Weir, Executive Director, Legal Aid and Defender Association of Detroit, Robert Gillett, Executive Director, Legal Services for Central and Southern Michigan, and Paula Zimmer, Executive Director, Oakland-Livingston Legal Aid. The State Planning Body and members of the "leadership group," composed of providers and private bar partners, have each had the opportunity to review a draft, discuss it at a meeting and give input for its revision. The final report, which I have reviewed, reflects that input.

While the self-evaluation report responds to the questions asked in LSC Program Letter 2000-7, everyone involved in drafting and reviewing this response recognizes that Michigan's state planning work is ongoing.

The reconfiguration effort in Michigan has consumed time and effort on the part of our provider community and even when the configuration of LSC's grants in Michigan is resolved, undoubtedly some of our efforts will shift to adjust to the new configuration. We fully expect that reconfiguration will consume time, money and concentration for those organizations directly affected for the balance of 2002 and for some of 2003 as well. Nevertheless, in preparing this report and reviewing our state planning effort, we are pleased with the record of demonstrated improvements, and proud of the accomplishments made and leadership shown in our advocacy community. All involved are committed to going forward to further improvements as we implement additional aspects of our plan.

Sincerely,

James R. Neuhard
Chair, State Planning Body

MICHIGAN SELF-EVALUATION REPORT PURSUANT TO LSC PROGRAM LETTER 2000-7

August 9, 2002

LSC's Program Letter 2000-7, dated December 13, 2000, asks for a Self-Evaluation by the Michigan state justice community of what has worked, what has not worked and why, and what obstacles stand in the path of the planning and implementation effort. This Self-Evaluation was developed on the basis of a seven year history of state planning in Michigan. A draft was reviewed and commented on by the State Planning Body for Legal Services in Michigan on March 5, 2002.

Issue Area I:

To what extent has a comprehensive, integrated and client-centered legal services delivery system been achieved in a particular state?

Michigan's vision, values, goals and current next steps are articulated in the Michigan Plan 2000 and the supporting Implementation Plan, the latest overall articulation of the seven year planning and leadership movement that has caused a permanent transformation of Michigan's civil equal justice effort. Michigan has institutionalized a process of continuous, reflective, client-centered innovation and improvement in its statewide, comprehensive and deeply interconnected state justice community's delivery of civil legal services to low income residents. An ever-expanding range of participants, projects and stakeholders includes the State Planning Body for Legal Services in Michigan, the State Bar's Access to Justice Department, the Open Justice Commission, the Access to Justice Task Force of the State Bar of Michigan, the Legal Services Computer Committee, the Access to Justice Development Campaign, a growing number of non-LSC-funded legal and lay advocacy organizations and the Michigan Poverty Law Program (MPLP), which is the state-funded entity responsible for supporting and coordinating legal work in the state.

At the onset of the reconfiguration process Michigan had 11 regional LSC programs and 2 statewide specialty programs (Migrant and Indian). In addition Michigan had a non-LSC funded statewide support center (MPLP) and a regional non-LSC funded specialty program (CCJ). There was no centralized intake system, no formal communications network, no referral system and haphazard coordination of efforts. With the culmination of the 2002 reconfiguration plan submitted by the Designated State Planning Body and the implementation of the Michigan 2000 Plan Michigan will have reduced the number of LSC programs to 5 and will have the following state wide systems in place:

-Uniform referral system (**Fully implemented** and adopted)

-Peer review and recommendation system (**Fully implemented** through the State Bar Foundation)

-Coordinated intake system (**Partially implemented**- all but 2 LSC-funded programs have implemented Kemp's Case Works)

-Revitalized and expanded state support and training services (**Fully implemented** and delivered through MPLP, and a series of specialty committees under the auspices of the State Bar)

-Legal Services web site created and maintained by MPLP (www.mplp.org) which includes a brief bank and timely issue alerts. (**Fully implemented**)

-E-mail accounts for all legal services staff (**Fully implemented** through MLAN)

-Web sites for all legal services providers (**Fully implemented** through MLAN)

-MIHelp comprehensive state wide client based web site (**Partially implemented**, enhancements in progress, see <http://www.lawhelp.org/MI>)

-Technology upgrades which include computers on every attorney's desk and web based research available to all, including a centralized brief and data bank (**Fully implemented** with the assistance of the Michigan State Bar, Michigan State Bar Foundation and MPLP).

-Comprehensive affordable state lawyer and support staff training (**Fully implemented** through MPLP and CORT, a tri-state cooperative training group)

-State wide, coordinated telephone intake, advice, referral and brief service system (**Partially implemented** — LAD, South Central and Oakland/Lakeshore (CALL) each have such systems, with commitments made by Legal Services of Northern Michigan and Western Michigan Legal Services to implement CALL within the next two years, but a coordinated statewide system has not been achieved)

-Various demonstration outreach projects are underway for alternative delivery systems targeted toward rural areas and funded by LSC TIG grant money and State Bar Foundation grant money.

1) Statewide System: What are the important issues that impact upon low income people within your state? How is your state responding to these issues?

Extensive examination of needs for advice and representation, led by the state planning substantive task forces, led the Legal Services Association of Michigan to adopt three statewide substantive priorities to help assure consistency of access throughout the state. These three areas, housing, public benefits and domestic violence, are the ones Michigan identifies as the most important to poor people; each field program is expected to assure that these areas are addressed through screening, advice and representation, either

through its own staff or the extended resources of the comprehensive delivery system in its service area (e.g. through shelters, VAWA grantees, law schools, court-based programs, community based organizations etc.).

From the beginning of its state planning process in 1995, Michigan has examined data about legal needs and has designed its responses to make appropriate and critical legal assistance available for the most important issues affecting low income residents. For example, the American Bar Association's comprehensive legal needs study in the first half of the last decade revealed that more than a third of all persons facing legal problems never sought help from anyone, and that another third did no more than talk with neighbors, ministers and public officials rather than seek legal help. The planners also engaged the assistance of John Arango to conduct a survey of "legal assistance" provided outside of the traditional client-lawyer relationship and to identify gaps in coverage. Those findings led to Michigan's development of such access-expanding devices as telephone intake and advice systems, creation of a client-focused information website, a core commitment to integrating a broad network of institutions involved in helping poor people with legal problems, and one of the most innovative collaborations in the country joining the courts and legal services providers in support of self-representing individuals.

The Michigan Equal Justice Community identifies issues that are significant to clients in many ways, including the identification of recurring client issues at statewide substantive law task forces, the exchange of information through substantive listserves, a well-coordinated network of state level advocates, consultation and work with regional and statewide coalitions of lay advocates and client organizations, and analysis of emerging issues provided by state level and national providers of legal services. As issues are identified, the closely coordinated statewide system responds with individual advocacy, support, training or institutional modifications. See Section II.2) for information about the results obtained through these strategies.

With the creation of the new State Planning Body in Michigan, and with the increasingly active participation of advocacy organizations and key constituencies (e.g. mental health and welfare rights advocates), there is continued interest in developing a more comprehensive understanding of the issues facing our client community in Michigan. In 2002, MPLP added a new Community Outreach Advocate who will further strengthen the State's capacity to work with community organizations throughout the state to help providers identify significant issues that affect the client community.

2) Statewide System: What are the components of the delivery system?

The Michigan State Plan 2000 describes the institutional components of the civil equal justice delivery system as made up of tightly interconnected providers of legal assistance, community agencies and the justice system and courts, each seeking to make the highest and best use of the limited resources available. Together, these sets of institutions seek to assure achievement of the delivery system's three Core Capacities:

- 1) equitable client access to information and services throughout the state,**
- 2) the equitable availability of a full range of client-centered services, and**
- 3) integrated and coordinated services.**

Working together, the providers, agencies and courts provide coordinated information, services and advocacy on behalf of individual low-income clients; direct advocacy on behalf of organizations whose services affect low-income clients on significant legal issues facing those organizations and their clients; and joint systemic and policy advocacy on behalf of those organizations.

A significant part of the comprehensive, integrated, client-centered civil legal services delivery system in Michigan is the network of staffed providers of direct services to low-income clients. As currently planned, this network includes:

LSC Field Programs

(The State Planning Body recommended, in December 2001, that there be five basic field service areas, each with its own LSC-funded program. LSC, in March and June 2002, agreed that there should be five service areas but joined counties together differently. Both positions include a northern area, a western area, an eastern area, a south-central area and a Detroit-based area. Both also include a Native American service area. Until this disagreement is resolved, there are seven basic field programs and one Native American program)

- Legal Aid and Defender Association (LAD)
- Western Michigan Legal Services (WMLS)
- Legal Services of Southern and Central Michigan (LSSCM)¹
- Legal Services of Eastern Michigan (LSEM)
- Legal Services of Northern Michigan (LSNM)
- Oakland-Livingston Legal Aid (OLLA)
- Lakeshore Legal Assistance (LLA)
- Michigan Indian Legal Services (MILS)

Non-LSC Field Support Programs

- Michigan Poverty Law Program (MPLP) (includes an LSC-funded component)
- Michigan Migrant Legal Assistance Project (MMLAP)
- Center for Civil Justice (CCJ) (both statewide and regional services)
- Michigan Litigation Assistance Partnership Program (MI-LAPP)

Non-LSC Regional Programs

- Michigan Legal Services (MLS) (Detroit area)
- Wayne County Neighborhood Legal Services (WCNLS)

¹Includes Oakland-Livingston Legal Aid and Lakeshore Legal Assistance.

But the components of the delivery system are far more extensive. They include, among many others:

Michigan State Bar Committees

- Legal Aid Committee
- Access to Justice Task Forces
- Open Justice Commission
- State Bar Development Campaign
- Pro Bono Involvement Committee
- Domestic Violence Committee

Michigan State Bar Foundation

- Legal Services Computer Committee

Michigan Poverty Law Program Task Forces

- Public Benefits
- Housing Law
- Consumer Law
- Family Law
- Elder Law
- Technology
- Statewide Advocates

The Judiciary

- The State Court Administrators Office
- Local Courts (including four Access to Justice Centers)

Additional Participants include

- Community Legal Resources (CLR) (community and transactional services)
- Michigan Advocacy Project (MAP)
- Senior Citizens Hot Line (SCHL)**
- Michigan Legal Assistance Network (MLAN)
- Michigan Protection and Advocacy Services (MPAS)**
- Michigan Welfare Rights (MWRO)**
- Regional Area Agencies on Aging (AAA)**
- Prison Legal Services (PLS)**
- ACLU
- Several Law School Clinics
- National Employment Law Program — Midwest Office**
- Dozens of other organizations, some with representatives on the State Planning Body**

In 2001, Michigan convened a meeting of more than 150 state stakeholders for the first meeting of a critical leadership component of the state delivery system: the new State Planning Body for Legal Services in Michigan. The State Planning Body, which will

oversee and guide further state planning and implementation, is composed of individuals from around the state who work in many different roles in the state justice community, none of whom are either staff or board members of LSC-funded providers.

In many ways, the most significant changes in the new vision of the delivery system in Michigan relate to the vision of “system integration.” Because many low-income persons relate directly to the court system and other forums rather than through a local legal services program, these forums are increasing their role and responsibility in assuring real access to justice. Similarly, there is a large, vital, non-profit community in this state; closer connections between the legal services delivery system and that community-based network, resulting from state planning, yield numerous benefits for our clients, including broader access to services, more effective individual advocacy, and more effective systemic advocacy.

A couple of examples of mechanisms to increase system integration are instructive. The 1995 State Plan recommended that the State Bar of Michigan institutionalize support for legal services by creating an Access to Justice for All Task Force whose purpose was “to promote the effective delivery of high quality legal services to all Michigan citizens, especially low-income people.” The Task Force membership includes leaders from the State Bar, the State Bar Foundation and the providers. The State Bar of Michigan also created and funded a seven person Access to Justice Department, which participated in ongoing planning and coordinates efforts related to legal services. Despite recent budget reductions, there are still about six positions devoted to ATJ and ATJ Development, and the recent State Bar Strategic Plan calls for strengthening both its Access to Justice and Open Justice initiatives.

Another example is the statewide pro bono Michigan Litigation Assistance Partnership Project (MI-LAPP), designed to recruit law firms to handle complex, LSC-restricted or other litigations or transactional matters that are within a particular law firms’ area of practice but not typically handled by legal services attorneys. MI-LAPP is a joint project of the State Bar, MPLP and Community Legal Resources (itself a program of MLS).

3) Statewide System: Has this system created mechanisms to assess its performance in relationship to commonly-accepted external guides such as the ABA Standards for Providers of Civil Legal Services to the Poor, the LSC Performance Criteria or some other set of objective criteria? What is the protocol for undertaking system performance review and when was a review last undertaken?

It is not enough to claim the core capacities to provide equitable access to all, to offer a full range of services to all, and to bring all parts of the justice community into an integrated and coordinated whole. Part of the responsibility of the state’s equal justice community is to periodically examine the performance of system components to see whether actions mirror words.

As a result, Michigan is one of a handful of states that has instituted an in-depth, independent peer review system. The 1995 Plan called on the Bar Foundation to take the lead in implementing an expanded assessment system. The system uses experienced poverty law managers and litigators from outside the state to conduct site visits to review a program's services and operations and to exchange ideas with the advocates they meet. The information from the evaluation is used to help promote quality, market the accomplishments of providers and provide suggestions or technical assistance. The peer review employs the ABA Standards for Providers of Civil Legal Services to the Poor, the LSC Performance Criteria and the state plan as the standards against which to assess program performance.

A complete cycle of peer review assessments of the Foundation's grantees was completed in 2000. Program boards, staffs and the Bar Foundation have demonstrably used input from the visits to improve services or to consider new ways of providing services. The Foundation offers technical assistance based on review findings.

It is also anticipated that the State Planning Body will regularly review the performance of the delivery system.

4) Statewide System: Does your statewide system work to ensure the availability of equitable legal assistance capacities to clients -- regardless of who the clients are, where they reside or the languages they speak? How does your system ensure that clients have equitable access to necessary assistance including self-help, legal education, advice, brief service, and representation in all relevant forums? Please describe what steps you anticipate taking to ensure equitable access in the coming years.

Ensuring that Michigan's comprehensive, integrated, client-centered civil legal services delivery system is able to provide equitable access to all clients, regardless of where they live, who they are or what problems they face, is the first priority of Michigan state planning (the First Core Capacity sought is such access).

Michigan has taken several steps to assure that clients throughout the state have relatively equitable access to a full range of services. We have sought to build the capacity of individual field programs, and to create companion and support providers, who can assure that client issues are identified and addressed in a comparable manner, regardless of where a client resides.

From the beginning of state planning in 1995-1996, the state entered into reconfigurations and created new entities in the interest of collaborating in the interest of clients, and to build the availability and quality of services throughout the state.. Such collaboration had a long history, including development of the multi-state training consortium, CORT, to assure a sufficiently large base to make many training events feasible. MPLP was created in the wake of new restrictions on organizations receiving LSC funds and congressional

defunding of state support to assure statewide advocacy and support. It's capacities were enhanced by a unique relationship with the clinic at the University of Michigan Law School. Similarly, non-LSC funding was allocated to MMLAP to provide services to farmworkers who were not U.S. citizens while Farmworker Legal Services (FLS) was created within an LSC grantee to receive the LSC migrant grant to provide services to eligible migrants. In the Saginaw Bay area, CCJ was created and obtained the Bar Foundation grant while LSEM continued as the LSC provider for the region; the pair of programs is among the most successful collaborations of an LSC and non-LSC provider in a substate region (see MIE Journal article). CCJ collaborates with MPLP in order to make CCJ's educational and advocacy materials available to lay and legal advocates throughout Michigan. The MI-LAPP program offers clients throughout the state an opportunity to receive assistance in matters that cannot be handled effectively (or at all) by their local, LSC-funded provider.

In addition to creating new entities, Michigan has taken coordinated steps to build the capacity of these entities. Recently, for example, the Legal Aid Committee of the state bar, working with the Access to Justice Task Force, and individual providers, successfully persuaded the Michigan Supreme Court to amend the state's Law Student Practice rule to assure that students working at non-LSC-funded entities could, under the supervision of an attorney, practice in Michigan's trial courts.

Michigan Plan 2000 and the "core capacities" it envisions, set out the state's underlying values with respect to "access". Programs funded through the MSBF must report their efforts to assure that programs have developed methods to serve clients who may face special barriers such as lack of transportation, physical disabilities, or inability to speak English. Programs must also report on their self-help or pro se initiatives. Many self-help tools will be available statewide to clients and lay advocates through the new MIHelp site.

The Access to Justice for All Task Force's Service Delivery Subcommittee worked to identify and study delivery issues/needs, to make recommendations, and to facilitate their implementation toward ensuring a comprehensive and integrated system that provides a full range of legal services to citizens in every corner of the state. The SDS designated thirteen Work Groups to research and draft specific implementation steps with respect to the delivery of legal services. The Work Groups include judges, legal services staff, staff from the State Court Administrative Office (SCAO), the private bar, the Bar Foundation, human services providers and others. Also used in the process were results from a comprehensive survey of nearly 2000 entities, which provide services to low-income clients; a data base was established for this network of providers including information on those that provide some form of legal assistance. The Work Groups drafted reports which are reflected in the content of the Michigan Plan 2000.

More than 200 stakeholders (including providers, local and state bar leaders, members of the judiciary, community organizations, clients and others) were invited to regional meetings in January, 2000 to offer substantial contributions to the drafting of the Michigan

Plan 2000; about 170 stakeholders came to the configuration meeting of the State Planning Body in December 2001.

LSAM's three statewide priorities (housing, public benefits and domestic violence) also help to ensure consistency of access throughout the state; each field program must assure that these priorities are addressed through screening and advice, either through its own staff or resources in its service area (e.g. through shelters, VAWA grantees, law schools, court-based programs, community based organizations etc.). Similarly, LSAM developed a statewide referral protocol to assure that client referrals are accepted by field programs and handled in a consistent, timely, and efficient way statewide.

5) Statewide System: How does the legal service delivery system employ technology to provide increased access and enhanced services to clients throughout the state? What technological initiatives are currently underway and how will they support the integrated statewide delivery system?

The Legal Services Computer Committee (LSCC), composed of providers and representatives from the State Bar and the Bar Foundation, developed and facilitated a number of projects that resulted in the provision of email and Internet access to the desktop of every case handler, the evaluation and purchase of case management software, the creation and maintenance of a web site with an online brief bank (see section II.4), and the provision of technology support and training through the state support center. The LSCC also produced technology guidelines for programs to assist in their technology planning, budgeting and use.

In the course of the state's efforts, Michigan has experimented with several case management systems, email systems and website approaches. After trying several packages, Michigan elected to use Kemp's Case Works as its primary case management system. After using Novell's Groupwise email system, Michigan now uses an internet-based email system, through mlan.net. Michigan initially had programs post general information and advocacy updates through MPLP; the MIHelp site will enable programs and authorized advocates to post information directly to the web.

These massive changes could not have been achieved without the substantial financial support of the Bar Foundation and the inspired leadership of MPLP. One demonstration of MPLP's capability is that its former Managing Attorney, Steve Gray, who led many of these efforts, now works on an LSC-funded project providing technical assistance to legal services programs and state justice communities across the country.

Now that the first set of critical technology goals has built the capacity of advocates and programs, a new phase of client-based technology efforts begins. In this phase, the established technological foundation will be used to build new partnerships (see discussion of telephone intake, referral, advice and brief service systems in II.4), technological

coordination with the judicial system and technology-based outreach to clients (e.g., video conferencing with clients, described in section II.4).

6) Statewide System: How has the legal service delivery system expanded its resources to provide critical legal services to low income clients including hard to reach groups such as migrant farmworkers, Native Americans, the elderly, those with physical or mental disabilities, those confined to institutions, immigrants and the rural poor?

A key recommendation of the 1995 State Plan was for a single coordinated statewide Access to Justice Development Campaign for legal services. A State Bar staffed development office was created to implement this recommendation. The State Bar has taken an increasingly active role in advocating for legal services funding. Since 1995, state filing fees funds have more than doubled, and the Michigan Supreme Court has revised the IOLTA rule to significantly increase the percentage of funding devoted to civil legal services to the poor. Thus Michigan has taken important steps toward moving civil equal justice funding toward its proper placement as a fundamental commitment of the state's justice system.

On a national level, a committee of State Bar leaders advocates effectively on behalf of continued federal funding for legal services. Through this committee, the State Bar has sponsored annual visits to the Michigan congressional delegation, providing solid, bi-partisan support for continued funding to the Legal Services Corporation.

In the last several years, a statewide development campaign has begun to build a major endowment and to raise operations funds for legal aid programs. Some \$2.5 million in pledges and donations has been generated to date, and the first ATJ Fund grants were given in 2001 for special needs. Key volunteer leaders throughout the state have made personal commitments and undertaken successful efforts to build partnerships between local and state campaign efforts. The campaign has been helped by the state's inclusive, statewide planning and implementation of a comprehensive, integrated, client-centered delivery system. (For additional information, see the Fall 2001 Campaign Donor Newsletter at www.michbar.org, under Access to Justice).

During the last several years, there have been coordinated efforts within the delivery system to expand loan repayment assistance to attorneys working for legal services program, which would help legal services providers attract and retain diverse and qualified attorneys. The State Bar's Legal Aid Committee worked with the State Bar to incorporate questions about the impact of debt on the ability to accept public interest jobs into the Bar's Economics of Law Practice Survey. The results of this study led to a workgroup comprised of bar leaders, legal services staff and law school deans. Michigan's legal services providers are now working to obtain legislation that would create a fund to help debt-burdened legal services attorneys, which would be administered without charge by the Wayne State University Law School.

7) Statewide System: What steps have been implemented within the legal services delivery system and among client communities to identify and nurture new leaders? Do the existing leaders reflect the diversity within the state and within client communities that your delivery system serves? Do your state's equal justice leaders reflect the gender, race, ethnic and economic concerns of important but sometimes overlooked groups within your state? Does the leadership provide opportunities for innovation and experimentation; does it support creative solutions to meet changing needs; are new ideas welcomed; are clients nurtured as leaders? Has the leadership been given sufficient authority and resources to implement needed changes?

Michigan's state planning efforts have been very interested in several dimensions of leadership: leadership in the state justice community; succession planning within programs; expanding leadership roles and opportunities for line staff; expanding leadership opportunities for women and minorities; and developing leadership skills that reflect the demands of our new delivery system—skills based on collaboration, innovation, new program design, and rapid technological change. While existing leadership has reflected the gender and racial diversity of our client and legal communities, Michigan has also experimented with new approaches.

One aspect of leadership that has often challenged delivery systems is client leadership. Michigan has encouraged client and local organization leadership in substantive arenas, such as the anti-hunger coalition described in section II.1, the work of CCJ with the Westside Welfare Mothers and OLLA with the Oakland County Welfare Rights Organization, support for the state's domestic violence network of shelters, and assistance by LSEM for local leadership in economic development. A similar initiative encourages leadership among law students through contracts with the University of Michigan and Cooley Law School clinics. It is noteworthy that the depth and constancy of these community-based leadership support efforts made it possible to gather 170 stakeholders on short notice for the first meeting of the new State Planning Body in December 2001.

“Second-tier” leadership development has been central to all aspects of state planning, which have created opportunities, spread responsibility and encouraged innovation from middle-level managers and line staff in activities such as the computer committee, the many substantive work groups and even the planning of leadership planning efforts. In support of this constant encouragement of new leaders, the peer review process pays careful attention to and reviewers offer advice on management and leadership needs and opportunities. Michigan offers many opportunities for legal services staff to develop their leadership skills, for example as presenters at task forces and training events and as representatives on the MPLP advisory board.

Michigan's state justice community holds semi-annual “advocacy roundtables” to promote creativity and leadership among middle managers and experienced litigators. The roundtables are planned and facilitated by MPLP and other experienced advocates from around the state. The statewide substantive and technology task forces also offer forums

for program staff to assume leadership roles on particular presentations, projects, or advocacy efforts.

A particularly innovative leadership development effort was begun in the spring of 2000. State

planners recognized the need to develop more sophisticated and effective leadership skills and, with support from a small LSC grant, hired consultant John Scanlon to develop a leadership development program. Planning Group members completed research assignments on different leadership models and were preparing to move into a second phase of the work when, in the fall of 2000, LSC rejected Michigan's timing for consideration of reconfiguration and caused the attention of top management to be diverted from development of leadership skills to an intense process about reconfiguration.

For the past two years, configuration was the leadership challenge for the state. On the staff leadership level, it became clear during the configuration process that much work was needed within the planning group. As a result, at the time of this writing, a training committee is developing a program to enhance skills through the state justice community for trust building, leadership, cultural competency and collaboration.

At the same time, ultimate authority for state planning has now been placed in the hands of the new State Planning Body. This group vividly reflects the diversity within the state and within client communities that the delivery system serves. The group of nineteen that was invited to join the State Planning Body included eleven men and eight women, among them five African Americans, one Arab American, one Native American, one Hispanic American and one disabled individual. One person, a white woman, declined to participate; all others are current members of the State Planning Body.

8) Statewide System: What do you envision will be your next steps to achieve a client-centered integrated and comprehensive delivery system within your state or territory? How will clients be actively involved in the determination of these next steps?

Some next steps are clear. During the coming year, the State Planning Body will review state planning progress, gather relevant information, put its stamp on the next stages of realizing more of the existing client-centered, comprehensive, integrated delivery system and the Core Capacities and help to build interconnections between providers on the one hand and the judiciary and community organizations on the other. There will probably be at least one major statewide stakeholder gathering later in the year in conjunction with an SPB meeting. But a substantial portion of this effort may be focused on effectively managing the consequences of widespread reconfiguration and funding reductions.

The extended leadership community (executive directors, middle managers, board members, community and client leaders) will undertake a number of learning processes to develop better communication skills, enhanced cultural competency, new leadership skills and improved collaborative capabilities.

Telephone intake, referral, advice and brief service systems will expand to new areas within the state (CALL will open in LSNM during 2002, and WMLS and LSSCM plan to have such systems in 2003) and the technological and substantive integration of the regional components will be improved. Technological improvements for access will also be made through the videoconferencing initiative that will bring pro bono legal assistance to northern clients from the southern part of the state..

Client access to services on a relatively equitable basis throughout the state is a goal of Michigan Plan 2000. In the northern service area it is also a specific goal LSC has asked the state to work on as part of LSC's configuration decision. The State Planning Body and the leadership group will develop additional strategies to assure relative equity in access and resources in the north.

Two other major developments depend on contingencies. There will be reconfiguration in 2002, it will be pursuant to the principles adopted in spring 2001 to the extent permitted by competition and it will be accompanied by technical assistance supported (as in the past) by the Bar Foundation.

If the SPB recommendation is adopted, three counties from LLA's current service area will join LSEM's current service area and one other merger of service areas will occur: combining the balance of LLA's area with the areas of OLLA and LSSCM. Under that scenario, the areas encompassing about 80% of the state's eligible population will have little disruption from reconfiguration during 2002 and 2003.

If the LSC position of spring 2001 is continued, it is quite possible that the areas in which almost all eligible clients live will undergo the disruption of reconfiguration, with most management attention and available resources being absorbed in complex mergers or hostile takeovers (some through competitions that aren't resolved until December) and their unavoidable consequences in lost time and retooling. See John Arango and Gerry Singsen, Suddenly Larger Program: Some Initial Observations, 15 MIE Journal No. 4, p. 13 (Winter 2001).

If the SPB recommendation is adopted, it is likely that a new round of peer review assessments will begin starting later this year or in 2003. If LSC returns to its earlier position, experience in other states suggests that the next round of peer reviews will be put off until 2004 while the delivery system is substantially changed.

The other contingency is the amount of LSC funding that will be withdrawn from Michigan as a result of Census 2000 and the drop in IOLTA and filing fee revenue. Based on estimates available today, Michigan's share of the national poverty population will be lower in the 2000 Census than it was in the 1990 Census, and Michigan will lose nearly 20% of its current \$10 million. IOLTA revenue is down substantially due to declining interest rates and filing fees are down due to changes in court jurisdiction and accounting

rules. Funding cuts, particularly in the context of upward salary and benefit equalization attendant on system-wide mergers or takeovers (if they occur), will be extremely disruptive; until they are absorbed by the statewide delivery system, few other improvements will be likely.

9) Statewide System: What has been the greatest obstacle to achieving a statewide, integrated, client-centered delivery system and how was that obstacle overcome or, alternatively, how do you plan to overcome that obstacle?

The greatest obstacle recently to achieving a more effective comprehensive, integrated, client-centered delivery system has been the commitment of the limited and irreplaceable leadership resources of our community to -- and the strain on collegial relationships within that community caused by -- the reconfiguration of the LSC service areas. The series of reconfiguration processes has exposed and exacerbated painful substantive and personal divisions within the community, some of which were long-standing but of uncertain relationship to building a better delivery system or improving the quantity or quality of services to clients. During the reconfiguration process, up to now and perhaps in the future, pursuit of the planned advances in providing access, obtaining new resources, deepening collaborations, attacking the emerging legal issues impacting on low income residents and broadening alliances in the state justice community has been slowed. Creation of the new State Planning Body, participation in skill-building programs for leaders, patient rebuilding and strengthening of community collaborations, and completing the process of reconfiguration itself (taking two to three more years depending on how it goes) is what it will take to overcome this obstacle.

10) Statewide System: Has any benefit-to-cost analysis been made in terms of creating a comprehensive, integrated and client-centered legal services delivery system in your state? If yes, what does your analysis show?

There has been no formal analysis of the costs or the value of the benefits achieved in the process of improving Michigan's comprehensive, integrated, client-centered legal services delivery system. What is known is anecdotal and, since there is no incentive for conducting a more rigorous assessment, it seems likely that we will continue forward on this path based solely on impressionistic data. Nor will it ever be known whether these improvements could have been achieved at less cost.

As already noted, there has been a substantial cost to the configuration battle, in dollars, in lost opportunities, in delay and in collegiality. The cost of implementing reconfiguration depends to a substantial degree on the outcome of the current configuration discussion. There have been smaller costs through the change in uses of some resources, and through the administrative burdens of creating a full range of services and merging some programs. There have also been some innovations that didn't work out as well as hoped, such as some of the hotline pilots and some of the technology beginnings; their costs have been lost. In

addition, many of the innovations and improvements described in this self-evaluation have start-up costs (e.g., the sunk costs of the technology for CALL, to create MLAN, to mount a web site or to implement videoconferencing for client interviews) and operating costs (e.g., staffing, telephone charges for hotlines, travel bills for PAI recruiting), but those costs tend to be immediately justified by the visible benefits they bring to clients.

On the benefit side, some benefits for clients have clearly been realized from the development campaign, the state funding initiatives, the improvements in technology, the development of telephone intake, advice, referral and brief service capabilities, the peer review system, the availability of a full-range of services and support through the specialty programs and the involvement of stakeholders, including clients, in the planning and in the development of the new State Planning Body. More benefits are hoped for and believed to be happening, such as improved quality in representation, improved outcomes for clients, greater equity in access for low income residents wherever they live and whatever their identity or condition, and increased numbers of clients helped, families kept together, violence abated or ended, income maintained and enhanced, housing conditions improved, educational opportunities preserved, debts forgiven, frauds stopped, disabilities recognized and helped and jobs created or preserved.

11) Statewide System: What resources, technical assistance and support would help you meet your goals?

For the moment, one response is help with the cost of consultants to help us work toward unity in the leadership group and the most effective implementation of whatever reconfigurations are ultimately required.

Issue Area II:

To what extent have intended outcomes of a comprehensive, integrated client-centered legal service delivery system been achieved including but not limited to service effectiveness/quality; efficiency; equity in terms of client access; greater involvement by members of the private bar in the legal lives of clients, and client-community empowerment?

1) System Outcomes: In terms of the issues impacting upon low-income persons within your state, what strategies have you designed to address these issues and how do you plan to measure your future success in addressing your objectives?

The strategies of the Michigan delivery system for addressing the most critical issues impacting upon low income persons are to increase access to information and assistance for every eligible individual, to work in broad coalitions of concerned organizations to assure identification of emerging problems and a full-range of appropriate responses, and to integrate all components of the delivery system for maximum effectiveness. As designed and implemented through state planning, several new specialty programs at the state level,

some without LSC funds, coordinate task forces, carry out policy advocacy and provide materials, training and support for generalist local programs. The success of these strategies is measured through periodic peer review and ongoing oversight by the task forces and specialty programs. In addition, the new State Planning Body will be gathering information, assuring that the advocacy strategies are client-centered, holding the system accountable and guiding future developments.

Funding for access to legal assistance is a key strategy. Policy makers in the State of Michigan have been persuaded to commit a significant portion of court filing fees and IOLTA revenue to support for the provision of access to legal assistance through legal services providers. State funding now accounts for about 40 percent of total civil legal services support, and is crucial to maintaining state support (MPLP) and several regional specialty programs (CCJ, MLS and Michigan Migrant) which assure the availability of a full-range of legal services. The Michigan State Bar Foundation has also supported improved access for clients through centralized hotline/intake systems (CALL, the Senior Hot Line, and several local program pilot projects), advice and counseling over the internet (LSNM internet representation project), and court based legal assistance centers (Grand Rapids, Lansing and soon in several other counties).

The most critical substantive priority areas, which all Michigan providers are expected to address, are housing, public benefits and domestic violence. In each area, effective strategies have been designed and implemented to produce excellent outcomes for clients and the low-income community.

Housing

In parts of the state where there are substantial public housing resources, the focus has been on keeping residents of public housing and users of section 8 vouchers in their current housing. Programs serve a high volume of tenants through clinics or other self-help programs, either in-house or in partnership with community organizations or courthouse access projects. MPLP conducted trainings and CCJ prepared a manual instructing homelessness advocates (both lay and legal) how they can work within the public housing planning process to seek policy changes that would help with homelessness; the manual is now posted on a web site maintained by Michigan Coalition Against Homelessness. LSSCM has worked to preserve affordable single room occupancy rental housing within the high cost Washtenaw County rental market. Detroit, with one of the highest percentages of low-income homeownership in the nation, is a prime target for predatory lending practices. In response, LAD has a special unit to assist clients with the problem and has joined the Alliance for Banking (AFB) “*Don’t Borrow Trouble*” initiative; a collaborative funded by Freddie MAC. LAD provides legal assistance to persons referred to the program by the AFB as possible victims of predatory lending.

Tax Reversion: A large number of low-income residents who are homeowners have avoided foreclosure for non-payment of property taxes as a result of a concerted legal services strategy. Recently, Michigan sped up the tax foreclosure procedure. In response, members of the justice community negotiated provisions for deferring taxes due, MPLP taught local

advocates how to use these provisions and programs developed kits for use by local programs and communities to help property tax owners take advantage of exemptions and reductions in their property taxes that are available by law. LSEM actually contracted with a County Treasurer to assure that the state laws were properly implemented, contacted every affected homeowner, and made legal and financial support available for low-income homeowners.

Housing Development and Preservation: Low income housing has been built in Flint and Pontiac as the result of community development efforts by LSEM and quiet title actions with pro bono attorneys in support of a large nonprofit agency in Pontiac. LSSCM, working with a broad array of housing services providers and non-profit housing developers in Eaton, Jackson and Washtenaw counties, has facilitated the development of hundreds of new units of housing affordable to very, very low income individuals and families in those communities.

Lead Paint: LAD targets clients who have lead-based paint as a part of their habitability defenses in landlord tenant cases, obtaining home inspections and referrals of landlords to various programs that assist them to contain and minimize the effects of lead paint in their rental units.

Public Benefits

Welfare Reform: As Michigan's government has taken "the lead on welfare" reform, the advocacy community responded to ensure that the reforms did not leave great gaps in the safety net. Through a concerted effort spearheaded by CCJ and MPLP, legal services attorneys and personnel from other service groups have been trained on the intricacies of the new policies. Some specific examples of success in the area of welfare reform are:

Food Stamps: A project entitled "Fill the Basket" trained people throughout Michigan on how to do food stamp calculations and food stamp eligibility criteria. The project also launched a media campaign and a informational web site **including a web-based benefits calculator that was the first of its kind in the nation**. This continuing project was spearheaded by CCJ and MPLP and participated in by local programs, especially LAD and the CALL hotline. One measure of the outcome of this effort was that 25% more families were getting additional food through food stamps in December 2001 compared to December 2000.

Work First: To address Work First issues, CCJ and MPLP are providing legal assistance to a statewide coalition of educators, human services organizations and advocates (CFITE). Issues include expanding **education and training opportunities, improving support programs available to those who have moved off cash assistance, and helping recipient parents stay in college**. The coalition effort keeps advocates informed on these issues, and results in better identification and referral of clients and patterns of legal need. Another result was that many recipients were able to

meet their work requirements with educational activities under legislation adopted through coalition work. The Public Benefits Task Force meets monthly to identify new and recurring problem areas and plan remedial strategies. In conjunction with these statewide strategies, local programs obtain good results through representation of many families and community legal education for affected individuals. **For example, OLLA has a project with the local Work First board in Oakland County which helps probationers and parolees with legal barrier to full employment. Participants have learned their employment rights and responsibilities at seminars presented by LAD's Highland Park office in conjunction with Michigan Works. Local Work First agencies began applying proper standards in their employment services as a result of work by WMLS and LSEM using information provided by CCJ and MPLP. CCJ and other disability rights advocates won a commitment from the state to meet with them to evaluate the effect of Work First policies on persons with undiagnosed learning disabilities or other mental impairments in light of the requirements of the Americans with Disabilities Act.**

Medicaid: Several strategic initiatives have produced good results for clients. A potentially harmful HHS waiver of portions of federal Medicaid law is being fought by testimony and analysis by a coalition of legal services, disability rights, health care and other advocates. Kinship caregivers had their Medicaid coverage restored through a CCJ class action brought because a consortium of legal service providers and human resource personnel referred clients for help. Medicaid hearing decisions are more timely because CCJ is monitoring a consent judgment with information provided through a network of legal services providers and the Public Benefits Task Force.

Child SSI benefits: When the disability standards for Child SSI disability benefits were severely restricted, legal services advocates formed a coalition of attorneys, provided training, recruited pro bono attorneys, provided extensive information to affected families, convinced the Social Security Administration to include advocate names with termination notices, and coordinated actual representation. Results: no child went unrepresented in the face of a benefits termination and Michigan had one of the highest benefit retention rates in the country.

Domestic Violence

A critical set of policy advocacy strategies, initiated through and supported by a group of organizations including the State Bar Family Law Section, MPLP and the Family Law Task Force, **resulted in** legislation regarding personal protection orders (PPO's) for abused spouses, including mandated availability and processing of PPO 's by county court clerks and the requirement that county prosecutors prosecute PPO violations. Domestic violence and legal services advocates also worked together to win a law that requires domestic violence victims to be deemed "homeless" for purposes of receiving emergency welfare relief regardless of whether these victims live in a shelter or with family or friends. Legal services attorneys regularly participate on local domestic violence task forces (multi-organizational groups which address local problems and train the local community) to monitor compliance and identify new problems..

In May of 2001, providers, the State Bar Open Justice Commission and domestic violence shelters joined together to recruit and train pro bono attorneys to help victims. This training was held on a single day with one set of comprehensive materials at 12 sites across the state.

Five programs (WMLS, OLLA, LLA, LACM and LSSM) obtained more than \$2 million in new resources to provide expanded services for domestic violence survivors. This funding (under the Violence Against Women Act) ensures the availability of legal services provided in coordination with local domestic violence shelters; these services extend beyond simple protective orders to include family law, housing and benefits advocacy to assure that a survivor and her children can establish a household physically and economically separate from the assailant.

Several of these programs provided leadership in the development of a Domestic Violence Screening Protocol for use in connection with new statewide ADR rules that went into effect in August 2000. This protocol was adopted by the State Court Administrative Office and is part of the mandated training for all potential family law mediators.

Other Substantive Issues

Beyond these three top priority areas, many other strategies are being implemented and excellent results obtained through the coordinated, integrated, statewide delivery system. For example:

Nursing home and health care insurance programs are being addressed in coalition with the Michigan Campaign for Quality Care (hundreds of nursing home residents and their families).

A group of organizations and providers, with active support from many Michigan agencies and organizations, has filed litigation to assure Michigan residents continued access to home-based services as an alternative to nursing home care.

Valuation of QDROs for divorce clients are expertly done through private attorneys recruited by MI-LAPP.

Predatory lending has been identified and an array of strategies deployed against it, including community education, coordination with the Attorney General, litigation, training for staff and pro bono advocates, legislation and collaboration with the NAACP and National Consumer Law Center.

When a range of consumer issues emerged during state advocacy meetings, MPLP added a consumer expert to its staff and begun task force meetings.

Clients are getting relief from excess utility costs, including help from a low-income energy efficiency fund that was enacted through successful MAP advocacy, pressure on regulated utilities to negotiate appropriate settlement agreements, an increased food stamp utility allowance and requiring pre-termination due process from municipal utilities.

Six Native American tribes obtained federal recognition through MILS assistance, and most now provide their members health care, job training, substance abuse services, decent housing and jobs.

People whose sole source of income is welfare or SSI have been protected against illegal child support orders imposed by courts and “Friend of the Court” offices.

2) System Outcomes: Has the legal services delivery system expanded access and services through coordination with providers throughout the state? Can this be quantified?

We believe access to advice, brief service and extended representation, utilizing all appropriate legal strategies in all relevant forums, has increased. Reliable quantification of changes is missing, however, because prior data collection was inconsistent. As LSC has led the field in assuring that counts of cases and matters are improved, case management systems have been improved. (The actual reported count has declined over the past five years as the reporting has been tightened.)

There are a number of reasons to believe that access and services have expanded; many are described in this report. For example, more are helped through the wider utilization of telephone intake, referral, advice and brief service systems without a reduction in extended representation. There is increased specialization in forms of extended representation and enhanced training and coordination through creation of MPLP and CCJ and continuation of CORT. The results of legislative and administrative advocacy, affecting thousands of families at once, have moderated proposed changes to public benefits (MPLP and CCJ in partnership with the Michigan League for Human Services) and regular modifications in statutes and enforcement of Personal Protection Orders (staff providers cooperating with the domestic violence network). More seniors are now warned about scams that prey on older persons through senior network TRIADS (Area Agencies on Aging, providers, and law enforcement) in many counties. In the Detroit metropolitan area many more Arab clients -- Muslims and Chaldeans -- are seeking assistance from LAD.

The Michigan State Plan’s Core Capacities emphasize increasing access and services through coordination. The Core Capacities emphasize that clients should have expanded access to advice, to brief services and to extended representation when needed, to assure the full range of necessary and appropriate advocacy services, including services that some providers cannot offer because they receive funds from LSC.

The first Core Capacity of Michigan’s delivery system is that clients have access to information and whatever services are necessary to permit them to address the legal problems that they face. There are two aspects to this “access” – access to information about legal rights and resources and effective access to courts and other forums. The latter includes services that facilitate use of these forums which make determinations affecting significant legal rights of low-income persons.

The second Core Capacity is to be able to respond to the wide variety of legal situations that low-income persons come in contact with. The goal of the delivery system is to respond both efficiently and appropriately to the broadest range of client needs possible. There are some clients who need only legal information to resolve their problem; they should be able to access this information quickly and conveniently. There are other clients facing a critical legal need who need specialized legal assistance from an attorney; they should be able to access these services. The delivery system must also include the capacity to effectively address policies and practices that affect large numbers of low-income persons.

The third Core Capacity, Coordinated and Integrated Services, describes the system’s need for training, support, planning and coordination of all entities that come into contact with low-income people, namely, the judiciary, legal services programs, community and client-based organizations. In seven years of state planning, Michigan has created new partnerships between providers, the State Bar and the Foundation who have jointly undertaken an ongoing planning process to improve the delivery of civil legal services to the poor. This process has moved legal services providers in Michigan to understand that they are part of an interconnected delivery system rather than isolated entities.

Many collaborations are local. For example, LAD has convened a group of legal service providers in Wayne County in order to coordinate and maximize legal services available to clients. Out of the collaboration, a referral book was developed that members can use. The group collaborates with the Children’s Aid Society, the Red Cross, the Urban League (working on removing legal barriers to employment for participants) and the Detroit Public School system (to prepare students for adult responsibility, as they reach the legal age of majority).

In addition, state planning led to the conclusion that certain functions should be integrated on a statewide basis rather than decentralized among all of these providers. These included comprehensive state support services (training, task forces, a brief bank and research support, case consultation support, and coordination of community legal education materials), Pro Bono support (including administration of statewide pro bono programs), legislative and administrative advocacy, technology support, pro se support (including both development of materials and coordination of efforts to make the courts more accessible and responsive to pro se litigants), public relations, fundraising, program evaluation, and coordination of ongoing planning efforts.

3) System Outcomes: Has the quality of services provided by the legal services delivery system improved? How?

Michigan believes that the quality and effectiveness of services provided to low income residents has been increasing as the statewide delivery system has been implemented. Direct evidence of quality improvement is found in the generally quite positive peer reviews conducted by some of the best advocates and managers in legal services,² in the interaction between the Bar Foundation and local providers during technical assistance following peer reviews, and in the required reports on provider improvements in response to peer review findings. Two focused evaluations, of the technology case management pilots and the hotline pilots, helped to build higher quality next steps in technology and hotlines.

Indirect evidence of quality improvement can be found in one of the most comprehensive state-based training and support systems in the nation. Michigan Plan 2000 describes this capacity in depth. Among the components of this system are annual program needs assessments, semi-annual meetings of the Michigan Poverty Law Project Advisory Council to set training and substantive advocacy priorities, semi-annual meetings of the Committee on Regional Training to plan a 2-4 year training schedule, quarterly meetings of substantive task forces which set common statewide advocacy priorities, provide training, and forums for identifying and addressing legal issues through coordinated statewide activity, and MPLP work plans setting multi-year plans for training and priority advocacy projects and designated responsibility for each part of the plan.

Since MPLP was created through state planning, it has helped improve quality through the support their attorneys offer the field in everything from training, task forces, individual case consulting, technology support, and the substantive roundtables which help advocates zero in on problems affecting clients in the whole state and work out strategies to address the problems. The Statewide Advocates Group has helped to build working relationships between providers that undertake policy advocacy, which has helped group members mobilize more quickly and effectively to respond to opportunities for, and threats to, our clients. In addition, the change of major staffed provider in Wayne County, initiated through an LSC competition and supported by shifts in Bar Foundation funding, has improved services to clients in Wayne County.

²Among Michigan peer reviewers have been Neil McBride, Wayne Moore, Lillian Johnson, Randi Youells, Jonathan Asher, Susan Berkowitz, Alan Lieberman, Karen Meyers, Diane White, Drew Robinson, Steven Xanthopoulos, Mary Viviano, Hanna Cohn, Amy Hirsch, Harrison McIver, Paul Doyle, Kent Spuhler and Hugh Calkins.

4) System Outcomes: Since 1998, has there been improvement in the relative equity of client access throughout the state for all low income clients regardless of who they are, where in the state they reside, what languages they speak, their race/gender/national origin, or the existence of other access barriers? How is this equity achieved?

Because equitable access for all is a central commitment of the Michigan State Plan, and because the needs for access of Michigan's poor are complex and diverse, this question requires an extended answer. There has been improvement in the relative equity of client access since 1998, and more is expected soon.

Access for All

Creation of telephone intake, advice, referral and brief service systems in several parts of the state (e.g., Wayne County, CALL, Lansing) has opened access beyond those who live in proximity to offices. CALL advocates speak several languages, use the Michigan Relay Service (for the hearing -impaired), and shows an increase of representation of ethnic minorities over prior service patterns. The state plan promises implementation of CALL or other telephone intake, referral, advice and brief service systems in additional parts of the state, which will have similar effects. Work with library consortiums in the Saginaw Bay area and the northern half of the state has created intake and information portals in hundreds of communities. Expansion and coordination of these access systems in the next two years will have additional, dramatic effects.

Local program efforts are also working to assure equitable access to legal assistance. The efforts of one program, LAD, will serve to illustrate similar efforts throughout the state. LAD has a web site that provides information about its services and a radio talk show that airs in the metropolitan area every Friday to provide timely information about legal issues. In addition, LAD has developed in-house capacity in Spanish, Arabic, Chaldean, and Korean to meet the needs of special clients, developed an extensive pro bono collaborative with the Metropolitan Detroit Bar Association and a group of lawyers from law firms and corporate law departments, provided pro se clinics in divorce, simple wills, health care proxies and powers of attorney, and provided outreach services to clients who are unable to come to the offices, including the school system.

The many state plan components that moved functions from the local to the state level also have had the effect of making access more consistent regardless of geographic location.

MPLP is overseeing a project which will result in a series of standard intake questions that will allow legal services advocates and intake workers to have a consistent and high quality approach to case screening and client counseling throughout the state regardless of where a client lives.

Michigan's legal services community has become actively involved in several projects in partnership with the State Court Administrator's Office (SCAO) and Open Justice

Commission which contribute to enhanced, statewide access. One such project seeks to assure greater responsiveness by courts and courthouse staff to pro se litigants. The State Bar's Open Justice Commission (see www.michbar.org) has a work group, which includes representatives from trial and appellate courts, the State Court Administrative Office (SCAO—which is the administrative arm of the Michigan Supreme Court and provides policy and administrative guidance to courts throughout the state), and legal services providers. The work group has approved a Court Commitment to Service and a Courthouse Access Inventory Checklist that can be used by SCAO and local courts to determine whether their physical facilities and services are accessible and user-friendly to pro se litigants.

Another effort brought state bar and MPLP representatives together with representatives of SCAO and the Supreme Court and led to the Supreme Court applying for a State Justice Initiatives grant that will permit planning, implementation and evaluation of pilot projects in demonstration courts throughout the state that will improve pro se litigants' access to services. The SCAO has a project to assure that court forms and instructions are available to pro se litigants on the world wide web. One of the first areas of emphasis is Personal Protection Orders and other domestic relations forms needed by domestic violence survivors. Legal Services advocates are working with the SCAO to review the forms, instructions and technology used.

In addition, there are at least four local projects underway to provide innovative, court-based assistance to pro se litigants in four urban counties (Kent, Ingham, Genesee and Washtenaw). These projects explore expanding court-based systems for providing assistance to pro se litigants and applying new technology to increase pro se access. Each project includes an active partnership between the legal services provider serving the county, the local Bar Association, and the Courts. The Kent County project received \$300,000 from the Grand Rapids Bar Foundation and the Michigan State Bar Foundation, the latter grant targeted at start-up, evaluation and replication of the project. In addition, the Kent County project has formalized partnerships with all the area judges and more than 40 local community organizations including special population community representatives, judges of various courts, the local bar association, legal aid and others.

Another effort involves an Innovations grant from LSC to Western Michigan Legal Services and Legal Services of Northern Michigan to test the efficacy of intake at human services agencies using video and computer terminals. LAD is developing a system to allow videoconferencing of training for pro bono attorneys and pro se litigants.

Lay/Legal Advocacy Partnerships

In order to explore the best ways to coordinate work on the community outreach initiative, a pilot project, with Bar Foundation support, tested various strategies for building and strengthening ties between field programs and local organizations dealing with hunger-related advocacy to determine whether this approach allows lay organizations to resolve

many legal problems, increase referrals on public benefits issues to legal services offices and improve capacity to identify and address systemic legal problems. Building on this experience, MPLP has added a statewide community outreach advocate, who will be working to build effective advocacy partnerships between legal services providers and community organizations throughout the state.

Legal services advocates and their lay partners have helped organize and provide technical assistance to statewide advocacy coalitions on a number of important substantive advocacy issues, including health care, education and training, and hunger. These coalitions include members of human services organizations, educational institutions and legal services advocates.

Another example of multi-agency collaboration to assure equitable access to services throughout the state is MILS putting on 12 statewide training sessions with the Family Independence Agency, prosecutors and tribal social workers to assure proper application of the Indian Child Welfare Act (designed to keep Indian families together and help tribes transmit their culture to future generations).

Michigan is compiling and reviewing community legal education materials for posting on the Michigan Legal Assistance Network website, www.mlan.net, which is a statewide portal for members of the client community, agencies, and others to find information, screening tools, and other community legal education and pro se resources. This portal enables clients and lay advocates in all areas of the state to take equal advantage of educational materials that may have been developed by one program as a result of a special project or funding. A web site related to an ongoing CLE pilot project, complete with a web-based food stamp calculator, will also be produced. The MLAN website is currently in the process of evolving and greatly expanding by contracting with the national LawHelp website. The new Michigan site (MIHelp, see <http://www.lawhelp.org/MI>) will be a comprehensive web area with both state and local resources for clients. Each program will have its own area within MIHelp and they will be able to modify and update the area without the need for programing expertise or assistance. MIHelp is scheduled to be launched with a media campaign late 2002.

The state commitment to statewide relative equity provoked one controversial dispute. When the rules affecting IOLTA and filing fees were being negotiated with the state, an important issue was whether the revenues would be allocated based on poverty population or on the county the funds came from. Legislators in some counties likely to generate larger amounts of IOLTA funds wanted to return the funds to the counties that produced them. Most of the providers who would have benefitted from such a decision, however, overcame their parochial interests and advocated that funding be tied to poverty population. Similarly, when the ATJ Development Campaign made donor choice the basis of fund distribution, some providers recommended to donors that contributions be made to the endowment fund for distribution throughout the state rather than to the local program.

Hard to Reach Groups

The Open Justice Commission is currently developing a list of all minorities in Michigan and is in discussions with the Access to Justice Task Force as to how to work together and achieve more synergies in the states "Justice Initiatives."

While there is always room for improvement, Michigan is doing comparatively well at addressing the needs of hard-to-reach groups, and at allocating resources to their special needs. Specific, targeted providers are serving each of these populations in the state.

Migrant farmworkers: Through state planning and implementation, the established migrant program relinquished its LSC funds and became a Bar Foundation supported provider able to provide legal assistance to undocumented farmworkers. This program, MMLAP, has worked actively on abuses by new payday advance companies because they disproportionately affect migrants.

Native American: The LSC-funded MILS continues to complement the services provided by the basic field providers to Native Americans throughout the state. MILS provides specialized Indian Law expertise to clients while local basic field providers give Indian clients access to services for problems the Indian population has in common with the general population such as family law and landlord-tenant problems. As noted earlier, MILS helped six tribes obtain federal recognition. Recently, through a series of meetings with tribal leaders and courts, LSNM increased its outreach and accessibility to American Indians, who constitute a higher percentage of LSNM's total eligible population than any other basic field program's. MILS and LSNM are also discussing a plan to make a cooperative Native American VAWA grant application for next year.

Elderly: In almost every community the legal aid program is also the Area Agency on Aging provider. This partnership assures that substantial Title III funds are used to provide the highest quality and most effective services possible for senior citizens. There is close coordination between Elder Law of Michigan's Legal Hotline for Michigan Seniors and both local providers of extended services and telephone intake and advice systems in several parts of the state.

Persons with physically or mental disabilities: There are at least 100,000 persons in Michigan suffering from a severe mental illness with delusions and hallucinations that affect their perceptions of reality. Only a fraction receive appropriate mental health services; many are in jails and prisons as a result of behavior caused by their mental illness. Legal issues include compliance with the ADA, holding service providers accountable and policing service provider neglect, civil commitment standards and practices, guardianships, conservatorships, prison treatment and conditions and monitoring informed consent procedures. Providing legal assistance in these circumstances requires require special training and an understanding of the illnesses. Michigan Protection and Advocacy staff participates on statewide substantive task forces for public benefits and has collaborated on projects (e.g., during the ABA Kids-SSI initiative, P & A

staff, the Michigan Pro Bono Coordinators and legal aid staff trained private attorneys to handle the thousands of children anticipated to be disallowed under new SSI rules and then shifted the excess capacity to adult SSD cases). Many legal aid offices have ongoing cooperative arrangements with local Community Mental Health providers to assist clients with their mental health needs and with problems related to housing, public benefits, and other matters.

Institutionalized: Michigan has a long-standing organization, Prison Legal Services, which is responsible for serving the civil legal needs of prisoners. A recent controversy, arising out of litigation between PLS and the Michigan Department of Corrections, may require the state justice community to consider additional arrangements to overcome the inability of LSC-funded organizations to litigate on behalf of prisoners.

Immigrants: In Southeast Michigan, the International Institute of Metropolitan Detroit holds citizenship classes and offers some advice to immigrants. The Archdiocese of Detroit has had an immigration office for many years which assists clients with immigration needs. But both the Institute and the Archdiocese are hard-pressed to keep up with the need. Extensive efforts have also been made, led by the Archdiocese, the Immigration Assistance Project and Western Michigan Immigration Advocates, to create a statewide, diocese-based and community-based immigration advocacy system. This project has developed staffed programs in several communities and has recruited a 100-lawyer, statewide immigration law pro bono panel.

Rural: Providers of services to rural areas in Michigan have a strong commitment to be a visible and active part of rural communities. To do so the service providers maintain a series of small offices in rural "population centers" and travel as needed to outlying communities. LSNM, the main rural services provider in the State, has maintained a strategy which guarantees that there would be a legal services attorney within a 90-minute drive of any potential client. In very remote and sparsely populated areas, LSNM uses a combination of contract PAI attorneys, pro bono attorneys and staff back-up. Access is provided through toll free phone lines and physical outreach. Projects have been initiated to partner rural service areas with central hotline/intake systems (CALL) and to broaden accessibility through "cyber offices"³ and web based service delivery. All these steps have allowed rural delivery programs to maintain close working relationships with local agencies, courts and community groups.

5) System Outcomes: Since 1998, has there been improvement in the relative equity in terms of the availability of the full range of civil equal justice delivery capacities throughout the state? What mechanisms have been developed to ensure such relative equity is achieved and maintained? Since 1998, has there been improvement in the relative equity in the development and distribution of civil

³Sites in local communities equipped with a computer, video internet link, and a fax/scanner/printer. This will allow interviews between clients and staff attorneys without the need to travel.

equal justice resources throughout the state? Are there areas of the state that suffer from a disproportionate lack of resources (funding as well as in-kind/pro bono)? If so, is there a strategy to overcome such inequities?

Michigan Plan 2000 seeks to assure that a full range of services will be available to clients through MPLP and its many partners, as described earlier in this report. In 2000, Michigan reallocated its state support resources so that there would be a more active role not only for the University of Michigan Law School, but a new partnership with the largest human services network in Michigan, the Michigan League for Human Services. One step was development of MPLP referral guidelines stating that MPLP will accept referrals of restricted cases from local programs throughout the state by phone, fax or email, and make case representation available in meritorious LSC-restricted cases through the Michigan Litigation Assistance Partnership Program MI-LAPP (a statewide pro bono program jointly administered by the SBM's Access to Justice Department and MPLP to place complex cases), the University of Michigan Law Clinic, more specialized or local resources, such as the CCJ, MLS and MMLAP, MPAS, the ACLU and others. MPLP is using e-mail groups, task forces, advocacy roundtables, technical assistance, and targeted training opportunities to help staff at all levels in programs throughout the state understand when and how LSC programs can refer cases and issues can be referred to MPLP for referral to appropriate non-LSC providers in the state.

Another important step was creation of the Michigan Advocacy Project, through which MPLP and the Michigan League for Human Services assure that there is representation of client interests in legislative and administrative forums on statewide priority issues identified by the statewide MPLP advisory board. This work is coordinated with other legal and lay advocates working on the state level through the "Statewide Advocates Group" which meets at least semi-annually and communicates regularly by e-mail. Several other statewide advocacy groups, which are composed largely of lay advocates, work with legal services advocates on legislative and administrative issues related to Education and Training, Health Care, and Hunger-related issues.

6) System Outcomes: Does this legal services delivery system operate efficiently? Are there areas of duplication?

Michigan has an extremely diverse system, carefully interconnected through the state plan process, that includes the courts, legal clinics, community groups, social service agencies and providers. Michigan's many funding sources (LSC is only 40% of the total, and may decline next year) support this diversity. All of the participants in the civil legal services justice community give legal advice to low income residents of Michigan. But they occupy different niches, doing different primary jobs. The goal of the comprehensive, integrated, client-centered delivery system is to help all of these components to coordinate their efforts, minimize client inconvenience, share materials, avoid duplication of services to the same individuals and provide mutual support.

Through state planning and implementation, Michigan has sought and achieved greater efficiency. Statewide initiatives have increased impact. The first rounds of reconfigurations have brought more specialized administrative staffing and seem to have allowed a modest increase in the advocacy carried out by former administrators. It is too early to know whether similar results will arise from further reconfigurations.

The MSBF has sought, through its oversight and administration of regular and special grants, to increase collaboration among providers and to avoid duplication in the delivery system. MSBF has used its grant-making role to require assurances that these issues are considered and addressed. Similarly, the MSBF peer review system examines administrative and resource efficiencies and duplications.

7) System Outcomes: Has the system expanded the way it involves private lawyers in the delivery of essential services to low-income persons? Does the system effectively and efficiently use the private bar to deliver essential services to low income people?

Several initiatives, described in earlier sections, have expanded the way private lawyers are involved in the statewide delivery system. These include MI-LAPP, CLR, LAC, the development campaign and the videoconferencing innovation.

Issue Area 3:

Are the best organizational and human resource management configurations and approaches being used?

1) Organization and Management: For calendar year 2001, what is the current configuration of programs (LSC and non-LSC) that deliver services to low income clients -- i.e., what are the components (size, areas of responsibility, governance) of the delivery system? What are the funding sources and levels for each of these components of the delivery system?

The current configuration of Michigan's provider community is presented in the Bar Foundation's annual report, Justice for All. A copy is attached.

2) Organization and Management: Since October 1998, what other configurations and/or approaches have been seriously explored? Were any adopted? Were any rejected? Are any changes contemplated in the coming year?

Before 1998, Michigan reconfigured to assure a full range of services (see above). Since 1998, six basic field programs have consolidated into two (WMLS and LSSCM), reducing the number of LSC grantees from eleven to seven, and the largest poverty population service area has shifted (from WCNLS to LAD). In addition, a critical program function --

intake, referral, advice and brief service -- was consolidated for two providers when CALL was created.

Michigan's 1998 and 2000 state plans called for reconfiguration to continue in this fashion, through incremental steps based on prior experience. LSC insisted in the fall of 2000 that reconfiguration happen all at once. After an intensive process facilitated by John Tull, former LSC Vice President, the state planning process proposed a six program LSC configuration and three minority reports recommended four instead. During the discussions that led to these recommendations, practically every possibility was explored, from a statewide program to the current seven to one suggestion of 32 providers. LSC decided in April 2001 that there should be four basic field providers for the state but suspended its decision in June, allowing the state to initiate another configuration discussion through which, in December 2001, a new State Planning Body, which included no representatives of the staffed programs, **recommended that there be five LSC basic field service areas after considering several proposals for four. All recommendations also included separate, statewide, Native American and migrant service areas. The State Planning Body recommendation can be found at <http://www.msbf.org/atj/SPBFinalRec.doc>.**

Change in configuration is also expected in the coming year.

3) Organization and Management: Is there any identifiable duplication in capacities or services in the state? How many duplicative systems -- accounting systems, human resources management systems, case management systems, etc. -- currently exist? Does the service delivery system now in use minimize or eliminate duplications that existed prior to October 1, 1998?

The essence of a parallel system to allow a full range of services is that there will be duplication in the existence of multiple organizations serving low income individuals who live in the same geographic area or share many of the same legal problems. Integration and interconnection among providers and partners such as the courts and social service agencies is intended to minimize the unnecessary costs of such duplication.

Similarly, each provider will have its own board of directors, made up of lawyers and clients from the service area as required by the LSC Act, and its own management and administration to fulfill grant requirements. The LSC-funded Basic Field program, like systems in every state in the country with more than one Basic Field service area, operates in parallel but does not duplicate the other programs. Most programs in the state use a version of Kemp's Case Works, while LAD maintains a separate case management system that also serves its large defender operation. The integration of these data bases, so that electronic data transfer is easily accomplished, is a goal of the state plan.

During its state planning process, Michigan had an Integration and Merger workshop which included private attorneys experienced in merger work, that investigated whether greater administrative efficiencies could be achieved. The workgroup found that there were very few

areas where increased administrative efficiency would deliver real measurable efficiencies to the programs involved.

4) Organization and Management: Since October 1998, what innovative service delivery systems/mechanisms/initiatives been adopted in the state? Have any been explored and then rejected?

This self-assessment has reported innovative service delivery systems, mechanisms and initiatives adopted since October 1998 on every page, including some that have been explored and then rejected or modified (e.g., the attempt to use ProLaw for state case tracking software, experiments with local hotlines that led the state planners to conclude that an integrated statewide system was needed, or the reconfiguration of MPLP after three years of operation). Among the many worth mentioning are:

Michigan Plan 2000

MI-LAPP

The Implementation Plan

Community education on predatory lending

MSBA Access to Justice Task Force

Extensive materials for assistance to persons who represent themselves
Quiet Title pro bono project

MSBA Access to Justice Department

Open Justice Commission

Predatory Lending unit in Detroit

State Planning Body

Tax reversion programs

Food stamp training and help line

Wayne Country Referral book

Seminar on Employment Rights with

Peer Review system

Michigan Works

Stakeholder participation in state planning

Work First improvement

Standard intake questions project

Coalition for Independence Through Education

CALL

Job creation initiatives in Wayne County and Flint

Hotline using law students in Lansing

VAWA funding

MLAN website

Pro Bono training on domestic violence representation

LAD website and radio show

Court-based pro se initiatives and justice centers

Video conferencing intake at social service centers

Hunger advocacy outreach project

Cooperative arrangements with local community mental health providers

Advocacy roundtables

Substantive task forces

Reconfiguration from eleven LSC-funded providers to seven

Participation in senior network TRIADs

Legal Services Computer Committee

Technology guidelines

Statewide development and endowment campaign

Partnership with Michigan League for Human Services

New LSC grantee (LAD) in Wayne County

Library consortiums for access to information and intake

Michigan Advocacy Project

Statewide Advocates Group